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The Tribal System in Wales. By FREDERIC SEEBOHM. London: Longmans, Green & Co., 1895. 8vo. pp. ix + 238 + (five appendices) 106, with three maps.

THE world is slow in waking to the fact that there is a present day renaissance movement hardly of less importance than the mental expansion which attended the revival of Greek studies in the fifteenth century. Few events of modern times have had more influence upon the intellectual culture of mankind than the English conquest of India. Observation of India has brought to light primitive social, religious and linguistic phenomena, out of the study of which science has created a new method of research—the comparative method, which, in the hands of Sir William Jones, Sir Henry S. Maine, Grimm and Schlegel, has wrought such wonderful results in our knowledge of philology and early institutions. For years India has had a fascination for scholars fond of the comparative method. Lately, however, there has been a reaction, so to speak, and students have begun to realize the important results to be gained from the consideration of facts nearer home. Sir Frederick Seebohm is the foremost representative of this new attitude in England. In the present volume he has sought “to point out the importance of a knowledge of the tribal system, wherever found, as an almost universal factor in the early development of European society, and in the formation of mediæval institutions” (p. 8). The value of a study of the Welsh tribal system as a preparative to wider knowledge is amply justified when the tenacity of Welsh customs and their extraordinary continuity from earliest times to the days of Edward I., and even Henry VIII., is known.

The present work is a study of the structure of tribal society in Wales, the methods of tribal society and a comparative inquiry into other tribal systems being deferred unto another volume. As an author Mr. Seebohm is all that is admirable and wins his reader by his candor and open-mindedness. “I have done my best to place the reader,” he assures him, “in the position to draw his own conclusions . . . because I was unwilling to appear in any way to write in a controversial spirit” (p. 7).

The extent of the ancient manor of Aberffraw on the Isle of Anglesey, and that of the castle and honor of Denbigh on the mainland have been selected as typical manorial units. The former

because it presents Welsh tribal institutions as they were *before* the English conquest; the latter because of the light it casts upon the internal structure of the tribe; moreover, it has reference to the condition of affairs in North Wales both before and after the conquest. From the extent of Aberffraw it is ascertained that the free tenants in primitive Wales dwelt in *weles* (pronounced "welly," literally "beds"), or tribal homesteads, while the unfree dwelt sometimes on the desmene land (pp. 14, 21) and sometimes in outlying hamlets (p. 8). The *wele* was a family group including great-great-grandsons; the shares of the sons in the kindred group being also called *weles*; but in case the parent were alive the sub-shares of the children were not called *weles*, but *gavells*, *i. e.*, the gavell was a division of the *wele*. The *wele*, therefore, was a division of the tribe, not of the land, holding an undivided share in the occupation of a district (pp. 29-30, 33-4, 45). At times, however, we find cases approaching the individualism of a modern family—separate homesteads (*villae*) of free tenants and enclosures (*villani*) around them which were held more or less in severalty. Yet it is an interesting fact that when anything like proprietorship in land obtained in the tribal system, it fell into a tribal mould (pp. 21, 35, 60).

When we look at the structure of tribal society in Wales, the study becomes more complicated. Blood relationship lay at the basis of the tribe which was, in fact, a bundle of Welsh kindreds. The entire tribe was a sort of "federate country" under a head king, who was regarded as the supreme kindred. The intensity of clan feeling was great. A Cymro was a Cymro no matter where he moved within its bounds. No stranger's word availed against that of a Cymro. So intense was this acknowledgment of a common country and supreme kindred, that even the "kin-shattered" person did not of necessity cease to be a free-man nor become a man without a country. Welsh law was wonderfully forbearing with an offender. The descendants of a kin-wrecked person were protected in the rights of inheritance in the tribe for nine generations.

It would be impossible to present in detail the results of Mr. Seebohm's investigations, but three features of the Welsh tribal society are of special importance:

First,* the marked feudal character of Welsh tribal organization. The organization of the tribe was for defense as well as for the maintenance of equal rights (p. 63). The military character of the tribal

*See pp. 63, 65, 69, 71, 91-4, 109, 118, 135, 139, 149.

organization is remarkable. At fourteen years of age a father ceased to maintain his son; henceforth he becomes a lord's (*uchelwr*) "man", and at twenty-one he took land from him and did military service. The introduction to this service was accompanied by a ceremony very much like that of investiture. What is more remarkable still is the fact that this feudal lord is a mounted horseman, while his vassals are foot soldiers, freemen though they are. How conclusively is here proven that feudalism is not German nor Roman in origin, but economic and social. The very solidarity of the tribe made liability to oppression by an unscrupulous chieftain greater; again, a kin-broken man might be driven by want to take a menial position just as in the early English laws we find the "free-necked" man bowing his head for meat in the evil days. The breadth of the author's scholarship, as well as his judicial attitude appear in such a passage as the following: "It would be easy, using words with a conventional meaning, to describe the two principles working side by side in later tribal society (and perhaps from the first) as *tribal* and *feudal*. But by doing so some danger might be run of falling into the error of begging the question at issue. The real question is whether the so-called feudal tendencies were the result of outside feudal influences upon the tribal system, or whether what we call the feudal system in Western Europe may not itself turn out to have been in part the result of tendencies ingrained in the very nature of tribal society and thus underlying the conditions out of which feudalism grew" (p. 135).

Second,¹ the judicial organization of the tribe. In ancient Wales each tribesman was encircled with a "halo of mutual responsibility" for crime. There is much that is analogous to this in early English law, and the careful reader must already have drawn the inference that the manorial lord of pre-Norman England owed his origin not entirely to English sources. The analogy between early English and Welsh customs is most striking, however, in the case of the criminal laws of each people. The wergeld or werth (the word is *guerth*) of the Welsh king is stated to be "a hundred cows from each *cantref* in his dominion and a white bull with red ears to every hundred cows, and a rod of gold equal in length to himself and as thick as his little finger, and a plate of gold as broad as his face and as thick as the nail of a ploughman who has been a ploughman for seven years" (p. 106). The worth of the queen was one-third that of the king as was also that of the

¹ See pp. 101-7, 163.

edling (*ætheling?*), or designated successor of the king. The life of the king's steward was rated at 189 cows and other royal officers at 126 cows, while the same value was attached to the life of a free tribesman, a circumstance which shows the high estate which the Welsh freeman enjoyed. Lower grades were in proportion.

Third,¹ the church. Wales had been at a very early date penetrated by Christian missionaries, but the character of this early relation cannot now be accurately ascertained. But in the sixth century the Cymric conquerors of South Wales, who overthrew the earlier Goidelic race came in contact with the Christian church. The church set itself to tame the wild life of these tribal chieftains, with the result that they and their relatives filled the offices, so that the church in Wales as in Gaul in the time of the Franks, suffered from secular and feudal infiltration. But the *comparison* between the church on the continent and the same institution across the channel is not the only observation Mr. Seeböhm makes. He seeks to establish the fact of a live connection between the two. The comparative method becomes peculiarly evident in this place. "The church" (in Gaul), he says, "continued to follow and to represent Roman legal forms and principles in its action under Merovingian and even later rulers. And this was so in a modified sense even in the contact with the less Romanized tribes which fell under its influence—tribes which still adhered more or less to tribal custom. It is quite obvious that in the formation of the Allemannic and Bavarian codes of the seventh century, ecclesiastical influence was a strong factor. Not only had local customs to be codified, as in the case of the Welsh codes, but a *modus vivendi* had to be found for the church. The codes, therefore, disclose the methods adopted by the ecclesiastics under Merovingian rule in securing the interests and property of the church in districts newly conquered by the Franks.

These districts on the borders of Gaul had more or less, like Britain, been under the provincial rule of Rome. They therefore present many analogies with the most Romanized portion of South Wales. *Hence there is at least some probability that the church would use the same legal forms and methods in the one district as the other.* Why not? Especially in the case of donations to churches and monasteries the monks were as likely to impose their own technical methods and legal formulæ in South Wales as in Gaul, and in the Allemannic and Bavarian districts" (pp. 193-7).

¹ See pp. 147-8, 179, 188-93, 204, 220-6, 233.

Two curious facts regarding the church in Wales remain to be observed: First, the church was monastic rather than episcopal; episcopacy was not territorial. In this respect the Welsh church was more like the church in the East. Second, just as proprietorship in land inclined to fall into the tribal mould, so we notice that rights of patronage in the church tend to become subject to the rules of the tribe (pp. 204, 233).

The great value of *The Tribal System in Wales* is plain. Real knowledge of one tribal system is the stepping-stone to a knowledge of others. The author's concluding words may well be used to conclude this review: "In so far as the attempt has been approximately successful to place the knowledge of the main features of one tribal system upon a solid foundation of evidence, a step at least will have been gained towards a knowledge of other tribal systems and of their place in economic history."

JAMES WESTFALL THOMPSON.

Feudal England: Historical Studies on the Eleventh and Twelfth Centuries. By J. H. ROUND. London: Swan, Sonnenschein & Co., 1896. 8vo., pp. —.

THIS work is a collection of essays, many of which have already appeared in the *English Historical Review*. The author is a free lance among historians, belonging to no recognized "School." As an independent investigator, he presents these studies with the object "either to add to or correct our existing knowledge of facts." Perhaps the most important conclusions reached are those upon the Domesday Book. A document, which has hitherto been known to a few, but has never received scientific treatment, the *Inquisitio Comitatus Cantabrigiensis*, is brought into comparison with the Domesday Book. The result is that the "Sacrosanct status" of the Great Survey is greatly impaired, and the Domesday instead of being an original document is shown to be like the *Inquisitio*, a transcript from the original returns which were allowed to disappear. Light is thrown on some questions which have long puzzled the student. By bringing in the testimony of different documents in parallel columns—a kind of argument in which Mr. Round is an adept, it is shown that the *caruca* and eight oxen are interchangeable; that a hide consisted of four virgates; that there were thirty acres in the virgate. A view which is quite revolutionary is